

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CARLOS ALBERTO JAQUINET,

Defendant.

CR 18–137–BLG–DLC

ORDER

United States Magistrate Judge Timothy J. Cavan entered Findings and Recommendation in this matter on April 2, 2019. Neither party objected and therefore they are not entitled to *de novo* review of the record. 28 U.S.C. § 636(b)(1); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). This Court will review the Findings and Recommendation for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a “definite and firm conviction that a mistake has been committed.” *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000).

Judge Cavan recommended this Court accept Carlos Alberto Jaquinet’s

guilty plea after Jaquinet appeared before him pursuant to Federal Rule of Criminal Procedure 11, and entered a plea of guilty to false statement in application for passport in violation of 18 U.S.C. § 1542 as charged in the Indictment.

I find no clear error in Judge Cavan's Findings and Recommendation (Doc. 27), and I adopt them in full.

Accordingly, IT IS ORDERED that Carlos Alberto Jaquinet's motion to change plea (Doc. 16) is GRANTED and Carlos Alberto Jaquinet is adjudged guilty as charged in the Indictment.

DATED this 18th day of April, 2019.



---

Dana L. Christensen, Chief District Judge  
United States District Court